

BOISE IDAHO 12/04/12 11:32 AM

**DEPUTY Bonnie Oberbillig**

**RECORDED - REQUEST OF**

Boise Warm Springs Water Dist



112127573

033

BEFORE THE BOARD OF DIRECTORS  
OF THE  
BOISE WARM SPRINGS WATER DISTRICT  
OF ADA COUNTY, IDAHO

IN THE MATTER OF THE INCLUSION OF CERTAIN )  
PROPERTY IN THE BOISE WARM SPRINGS WATER ) ORDER OF  
DISTRICT OF ADA COUNTY, IDAHO, owned by ) INCLUSION AND  
MIKE BAUGHMAN & KEALY BOGGESS. ) ANNEXATION  
Organized under the laws of the State of Idaho

THIS MATTER came to be heard before the Board of Directors of the Boise Warm Springs Water District at a regularly called and convened meeting the 13<sup>th</sup> day of August, 2008, upon a Petition for Annexation (inclusion) of property to the Boise Warm Springs Water District filed and presented by Mike Baughman & Kealy Boggess, organized under the laws of the State of Idaho, Petitioners and Owners of said property, a copy of which Petition marked Exhibit "A" is attached herein and made a part hereof by reference and attachment, and to a Notice of Hearing, said Petition for Annexation at this time and place published in The Idaho Statesman, a newspaper published in Boise, Idaho, and of general circulation in the District, on the dates of July 29, 2008, August 5, 2008 and August 12, 2008, the proof of which more fully appears in the Affidavit of Publication marked Exhibit "B" being attached hereto and incorporated herein and made a part hereof by incorporation and attachment. No person appeared to protest or object to the annexation (inclusion) of the property owned by the Petitioners.

Upon examining the Petition of Annexation (inclusion) of Property, hearing and examining the Petitioners and examining all proof (documentary and oral) submitted to the Board's consideration, the Board found and concluded that (i) the said Petition of Annexation (inclusion) of Property was in substantial compliance with law and executed by the Petitioners and acknowledged in the manner required by law; (ii) it would be in the best interest of the District and the Property affected to annex and include the property of the Petitioners, subject to all conditions enumerated in the said Petition and as hereinafter specified; (iii) the Notice of Hearing of said Petition was given in the manner required by law; and (iv) there is not good cause to deny the Petition for Annexation.

RECEIVED

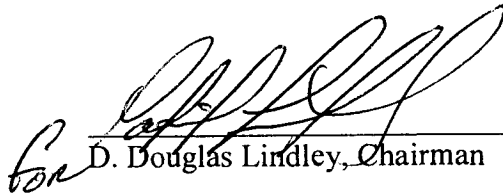
28 2013

REPORT

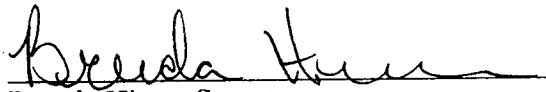
NOW, THEREFORE, it is ORDERED that it would be in the best interest of the Boise Warm Springs Water District of Ada County, Idaho, that the property particularly and specifically described by Exhibit "A", attached hereto and incorporated herein by attachment, be, and the same hereby is, annexed and included within the boundaries of the Boise Warm Springs Water District, subject to all of the (i) limitations and obligations imposed by Sections 42-3218 and 42-3220, Idaho Code; (ii) all conditions enumerated and specified in the Petition for Annexation marked Exhibit "A", incorporated herein and made a part hereof by attachment; and (iii) subject to all conditions specified in the motion for annexation as passed at the Board meeting of December 17, 2008.

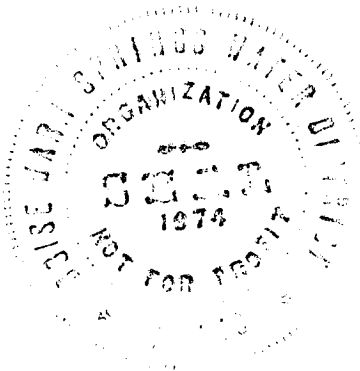
ADOPTED AND APPROVED by the Board of Directors of the Boise Warm Springs Water District of Ada County, Idaho this 17<sup>th</sup> day of December, 2008.

APPROVED:

  
D. Douglas Lindley, Chairman

ATTEST:

  
Brenda Hines, Secretary



**EXHIBIT "A"**

IN THE MATTER OF THE ANNEXATION	)	PETITION
OF PROPERTY TO THE	)	TO
BOISE WARM SPRINGS WATER DISTRICT,	)	ANNEX
a political subdivision of the STATE OF IDAHO.	)	No.

(2) That the undersigned have paid, at the time of filing this petition with the District, the Annexation Fee of \$ (WAIVED) fixed and established by the pertinent Resolution of the District, the receipt of which is hereby acknowledged. It is further acknowledged that, upon inclusion

(3) That the undersigned have contracted, at their cost and expense, a main line and a service line from a building or structure to the District's water line, together with all the necessary appurtenances and machinery, in a manner and at the place designated and directed by the District, and in accordance with the plans, specifications and drawings approved by the District, its officers, agents and employees.

(4) That the undersigned hereby assign, transfer and set over to the District all rights, title, and interest in and to that portion of the main line and service line extending from the Petitioner's property line to the District's water line together with all necessary appurtenances and machinery thereto.

(5) The above described property is improved. It is now being used as:

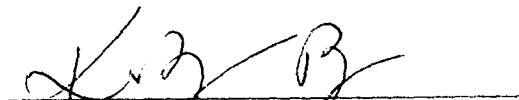
A SINGLE FAMILY RESIDENCE.

(6) It is understood by the undersigned that this petition is made pursuant to Section 42-3218, Idaho Code, as amended, and that the setting of a time and place for hearing of said petition and publication of notice of said hearing pursuant to law does not construe acceptance of said petition by the District. Pursuant to the aforesaid statute, the Board of Directors may impose such terms and conditions under which said property may be included within the District as the Board sees fit, said conditions, however, to be announced prior to the hearing. After said announcement, petitioners may have the right to withdraw said petition, but shall have the right to reimbursement of the annexation fee or additional charges as above set forth.

WHEREFORE, your petitioners pray that the said Board of Directors of the Boise Warm Springs Water District accept this Petition and set a time for the hearing and publish notice thereof in accordance with law, and upon hearing, order the inclusion of the above described property within the boundaries of the Boise Warm Springs Water District in accordance with the terms of this Petition.

Dated this 26 day of Nov, 2012.

  
Mike Baughman

  
Kealy Boggess Baughman

STATE OF IDAHO )

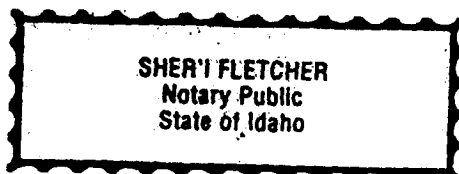
) SS.

COUNTY OF ADA

On this 26<sup>th</sup> day of November, 2012, before me a Notary Public in and for the State of Idaho, personally appeared Mike Baughman and Kealy Boggess known to me to be the persons whose names are subscribed to the within instrument, acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in the certificate first above written.

SEAL)



Sheri Fletcher

Notary Public for U.S Bank

Residing at Boise, ID

My Commission expires: 12.11.15

See official record of survey, showing  
 middle of lot 13, Block 8, Sub 192  
 14-Block 8, Sub 192, on Main Street  
 11114, on Block 18, showing the corner  
 on lot 13, to be 30.00 feet, recorded in  
 Record 2, Official Survey Records, in  
 page 5-5.  
 From T. H. Haffey, dated 14-21 March 16 1951. Filed March 16 1951.

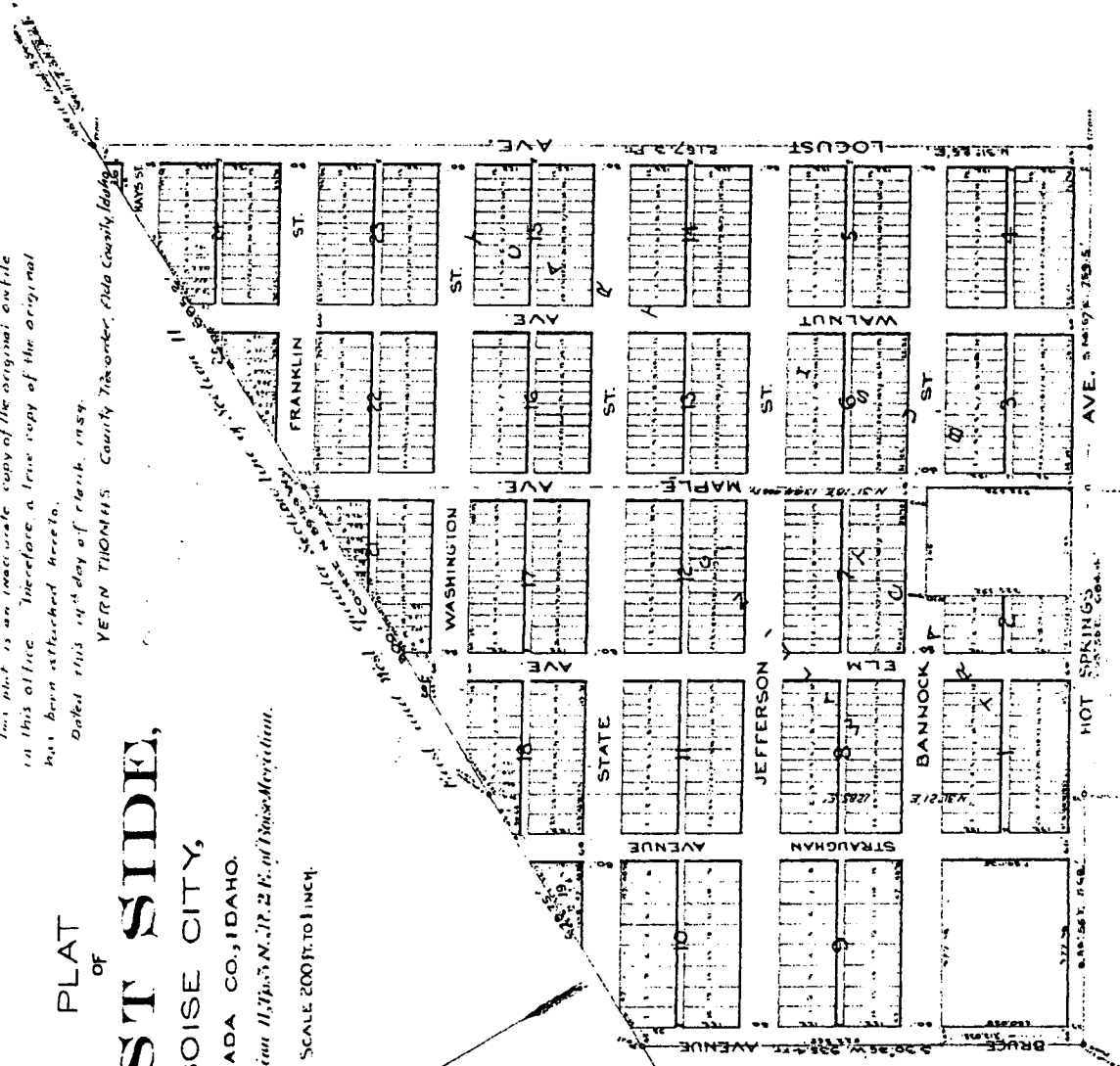
This plat is an inaccurate copy of the original on file  
 in this office. Therefore a true copy of the original  
 has been attached hereto.  
 Dated this 14 day of March, 1954.

YERN THOMAS, County Recorder, Fida County, Idaho.

# PLAT OF EAST SIDE, BOISE CITY, ADA CO., IDAHO.

Schedule in Section 11, T. 33 N., R. 2 E., of Boise Meridian.

SCALE 200 FT. TO 1 INCH.



I, Samuel H. Haffey, do hereby certify that this plat  
 of East Side was correctly and lawfully surveyed and  
 recorded in the County of Ada, Idaho, and that the  
 same is a true and correct copy of the original  
 on file in the County Recorder's Office, Boise, Idaho.  
 Witness my hand and the seal of the County of Ada,  
 Idaho, this 14th day of March, 1954.

Filed for record at the request of H. H. Haffey,  
 Trustee for East Side Real Estate Company, Lewis and  
 Clark, Idaho, and of H. H. Haffey, Trustee for East Side Real Estate  
 Company, for H. H. Haffey and H. H. Haffey, Trustee for  
 East Side Real Estate Company, dated 14-21 March 16 1951.

S. H. Haffey  
 Recorder and the County  
 of Ada, Idaho.

18	17	16	15	14
----	----	----	----	----

9	10	11	12	13
---	----	----	----	----

18	17	16	15	14
----	----	----	----	----

24.5' 37.403'

N 31° 18' E 134.408 feet

32.592'

APPLE

1	2	3	4	5	6	7	8	9	10	11	12
---	---	---	---	---	---	---	---	---	----	----	----

24	23	22	21	20	19	18	17	16	15	14	13
----	----	----	----	----	----	----	----	----	----	----	----

ALNUT

1	2	3	4	5	6	7	8	9	10	11	12
---	---	---	---	---	---	---	---	---	----	----	----

24	23	22	21	20	19	18	17	16	15	14	13
----	----	----	----	----	----	----	----	----	----	----	----

24	23	22	21	20	19	18	17	16	15	14	13
----	----	----	----	----	----	----	----	----	----	----	----

80'

STREET

1	2	3	4	5	6	7	8	9	10	11	12
---	---	---	---	---	---	---	---	---	----	----	----

24	23	22	21	20	19	18	17	16	15	14	13
----	----	----	----	----	----	----	----	----	----	----	----

OCUST

STREET

1	2	3	4	5	6	7	8	9	10	11	12
---	---	---	---	---	---	---	---	---	----	----	----

24	23	22	21	20	19	18	17	16	15	14	13
----	----	----	----	----	----	----	----	----	----	----	----

80'

80'

N 31° 25' W 215.23 feet



**EXHIBIT "B"**

# Idaho Statesman

P.O. Box 40, Boise, Idaho 83707-0040

## LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DT#	Identification	Amount
118884	374259	NOTICE OF PUBLIC HEARING	\$196.88
Attention:	P.O. #	Run Dates	
RODNEY BALDWIN		JULY 29, AUGUST 5, 12, 2008	
BOISE WARM SPRINGS WATER DISTRICT 2440 OLD PENITENTIARY ROAD BOISE, ID 83712		Number of Lines	
		78	
		Affidavit	Legal #
		1	

### LEGAL NOTICE NOTICE OF HEARING PETITION FOR ANNEXATION OF PROPERTY

NOTICE IS HEREBY GIVEN that the petition of the owners of the real property named and described below for annexation to and the inclusion of certain real property described below to and within the boundaries of the Boise Warm Springs Water District to conditions imposed for annexation and inclusion will be heard by the Board of Directors of the Boise Warm Springs Water District on the 13th day of August, 2008 at 7:00 P.M., Prevailing Time, at the office of said Water District, 2440 Old Penitentiary Road, Boise, Idaho 83712.

The name and address of the petitioners/property owners and the real property to be annexed and included are listed and described as follows:

Mike Baughman and Kealy Boggees,  
1132 E. Bannock Street, Boise, Idaho  
83712, Annexation No. 2007-01

Clayton Baun and Lynette MacFee,  
1101 E. Jefferson Street, Boise, Idaho  
83712

Annexation No. 2007-02

Peter Miranda and Mary Miranda,  
1138 E. Bannock Street, Boise, Idaho  
83712, Annexation No. 2007-03

Dona L. Horan, 1020 E. Jefferson  
Street, Boise, Idaho 83712, Annexation  
No. 2007-04

Lana Weber and Andrew Wells, 1017  
E. Jefferson Street, Boise, Idaho 83712

Annexation No. 2007-05

Kirk Keogh, 1015 E. Jefferson Street,  
Boise, Idaho 83712, Annexation No.  
2008-01

Jayo Family Limited Partnership, Ce-  
cil Jayo and Gurutzne Jayo, 107 N.  
Hot Springs Drive, Boise, Idaho 83712,  
Annexation No. 2008-02

Cecil Jayo and Gurutzne Jayo Trust,  
Cecil Jayo Trustee 216 N. Haines  
Street, Boise, Idaho 83712 Annexation  
No. 2008-03

Sara Donesley, 1109 E. State Street,  
Boise, Idaho 83712, Annexation No.  
2008-04

Jesse R. Hamilton, 914 E. Bannock  
Street, Boise, Idaho 83712, Annexation  
No. 2008-05

NOTICE is further given that all improve-  
ments and appurtenances belonging to  
the real properties listed/described  
above, including all roads, streets, alleys  
and rights-of-way, of record or not of re-  
cord, adjacent to the above listed or de-  
scribed real properties, are also peti-  
tioned to be annexed and included.

All persons interested in such matters  
and such petitions are hereby notified to  
appear at the office of the Board of Di-  
rectors of the Boise Warm Springs Water  
District at the time and place herein de-  
scribed and scheduled above and at said  
hearing show cause, in writing, if any  
they have, why any one or more of said  
petitions should not be granted.

Dated this 16th day of July, 2008.

BOISE WARM SPRINGS WATER DISTRICT  
Rodney L. Baldwin, PE/LS, Secretary

Pub. July 29, Aug 5, 12, 2008

0000374259-01

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended, for:

THREE

☒ consecutive weekly ☐ single  
☐ consecutive daily ☐ odd skip  
insertion(s)

beginning issue of: JULY 29, 2008

ending issue of: AUGUST 12, 2008

*Janice Hildreth*

STATE OF IDAHO )

.ss

COUNTY OF ADA )

On this 12 day of AUGUST in the year of 2008

before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Notary Public for Idaho

Residing at: Boise, Idaho

My Commission expires

*Janice Hildreth*  
NOTARY PUBLIC  
7/14



**BOISE WARM SPRINGS WATER DISTRICT**  
2440 Old Penitentiary Road  
Boise, Idaho 83712

P. Frischmuth, Chairman  
M. Aucutt, Board Member  
Vacant, Board Member

E. Kreipl, Vice Chairman  
M. Baughman, Board Member  
J. McCollum, Treasurer

**RESOLUTION NO. 2012-21**

**BY THE BOARD OF DIRECTORS: FRISCHMUTH, KREIPL, AUCUTT, BAUGHMAN**

**A RESOLUTION INCLUDING (ANNEXING) CERTAIN PROPERTY WITHIN THE BOUNDARY OF THE BOISE WARM SPRINGS WATER DISTRICT OF ADA COUNTY, IDAHO; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, pursuant to provision of Section 42-3218, Idaho Code, the boundaries of any water district may be changed upon application for inclusion of property by the owners paying fees thereof, meeting conditions imposed and after due and lawful notice of a public hearing upon said application; and

WHEREAS, a Petition for Annexation (inclusion) of property to the Boise Warm Springs Water District of Ada County, Idaho, was filed and presented by Mike Baughman and Kealy Boggess 1132 Bannock Boise, Idaho 83712; and

WHEREAS, at a regularly and duly called and convened meeting held August 13<sup>th</sup> 2008, the Board of Directors of said district approved and granted Petition of Annexation (inclusion), subject to all conditions specified in said Petition and subject to the limitations and obligations imposed by Sections 42-3218 and 42-3220, Idaho Code, the Board specifically finding that: (i) the Petition for Annexation (inclusion) was in substantial compliance with law and executed and acknowledged by the true and lawful property owners in the manner and form by law; (ii) it would be in the best interest of the District and the properties affected to annex and include the property of the Petitioners; and (iii) notice of this hearing was given in the manner required by law.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BOISE WARM SPRINGS WATER DISTRICT OF ADA COUNTY, IDAHO,**

Section 1. That the Petition for Annexation (inclusion) to the Boise Warm Springs Water District submitted by the owners, a copy of which is marked Exhibit "A" being attached hereto and incorporated herein by attachment and reference, be, and the same hereby is, approved and granted, and that from and after an Order of Inclusion by the Boise Warm Springs Water District, the property described in said Petition be, and the same shall be

annexed and included within the boundaries of the Boise Warm Springs Water District, subject to all conditions enumerated and obligations imposed by Sections 42-3218 and 42-3220, Idaho Code.

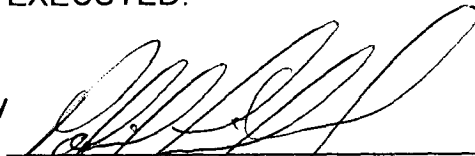
Section 2. That the Chairman of the Board of Directors and the Secretary be, and that they hereby are, directed to execute and attest an order in the substantial form and content of a proposed Order marked Exhibit "B", being attached hereto and incorporated herein by attachment and reference, to be filed with the Clerk of the District Court for Annexation (inclusion) of the property described in the aforesaid petition.

Section 3. That this Resolution shall be in full force and effect from and after its adoption and approval hereof.

ADOPTED by the Board of Directors of the Boise Warm Springs Water District of Ada County, Idaho, whose signature is attested to by the Secretary under the seal of said District as directed by the Board of Directors of said District pursuant to a motion duly made, seconded and carried at a regular meeting held on the 12th day of December, 2012.

EXECUTED:

By

  
Patrick Frischmuth, Chairman

ATTEST:

  
Brenda Hines, Secretary





A0879139

ADA COUNTY RECORDER J. DAVID NAVARRO  
BOISE IDAHO 01/02/09 05:00 PM  
DEPUTY Bonnie Oberbiller  
RECORDED - REQUEST OF  
Title One

AMOUNT 3.00 1



# QUITCLAIM DEED

FOR VALUE RECEIVED,

**Michael E. Baughman and Kealy M. Boggess**

Does hereby convey, release, remise and forever quit claim unto

**Michael E. Baughman and Kealy C. Baughman, husband and wife**

whose current address is: 1132 E. Bannock Street, Boise, ID 83712

the following described premises:

The West half of Lot 16 and all of Lot 17 in Block 5 of East Side Addition, according to the official plat thereof, filed in Book 1 of Plats at Page(s) 6, official records of Ada County, Idaho.

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

Date:

Michael E. Baughman

Kealy M. Boggess  
AKA Kealy Baughman

State of Idaho )  
County of Ada )

On this 21<sup>st</sup> of December, 2008, before me, the undersigned, a notary public personally appeared, Michael E. Baughman & Kealy Baughman known to me or proven to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Notary Public  
Residing In: Meridian, ID  
Expires: 10/29/09

